

RECOMMENDATION REVIEW:

Date: 9/15/2008
Agent: S. Hemenway
Claimant: City of Grangeville
Contact Person: Ken Gortsema, Public Works Director wk (208) 983-1380, hm (208) 983-0016
WR# 79-4285 **DISALLOWED, RECOMMENDED AS 79-4288**
Mailing Address: 225 W. North St. Grangeville, ID 83530
Phone #: (208) 983-1380
Attorney Representing Claimant: Dennis Albers
Attorney's Address: 401 W. North St., Grangeville, ID 83530
Attorney's Phone #: (208) 983-2310
System Description: diversion to pond and sprinkler system
Field Exam: no field exam notes were found on file for either 79-4285 or 79-4288 confirming total cfs of the system.
Nonirrigation Uses: pond
Other Uses: NONE
Other WRs Used: 79-4288 Partial Decree overlaps POU with 79-4285, and 79-4288 was recommended with both *groundwater source and Johns Creek source on the same claim (recommended for 0.65 cfs)* 79-4288, when Johns Creek is running low (per 2/25/2005 letter from Ken Gortsema)
Supplemental Water:
Basis of Claim: Beneficial Use
Priority Date: Claiming 1/1/1959, but evidence submitted does not show proof confirming this date.
Evidence of Priority: Idaho County Light and Power documents date back to 4/15/1961.
Notice of Claim is dated 4/6/1983.
*****Need additional evidence of proof to back up the 1959 date

NOTES:

Purpose of filing this late claim: To remove Johns Creek as a source from 79-4233, leaving ground water as the only source for 79-4288, and Johns Creek would go to 79-4285.
5/9/1983 objections to appropriate water from John's Creek with 17 signatures.
79-4288 has the same priority date as the Idaho County Light and Power documents that were submitted (4/15/1961)
9/15/2008 spoke with Craig Saxton, NIA supervisor, and he stated that to split up the sources like they want, they would need to file a "Transfer."

Recommendation:

Disallowed, recommended as 79-4288. (79-4288 already includes both sources and is a partial decree). They need to file an application for transfer to split the 2 sources.

COPY OF APPLICATION FOR TRANSFER OF WATER RIGHT WAS SENT TO KEN GORTSEMA WITH COPY OF 79-4285 DISAPPROVED CLAIM, AND 79-4288 PARTIAL DECREE, PER KEN'S REQUEST (VIA PHONE CONVERSATION 9/15/2008)